IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 766 OF 2007

Manoj S. Chandiramani ... Petitioner

Versus

M/s. Geodis Overseas Pvt.Ltd. & Ors. Respondents

Mr.T.D.Deshmukh, Advocate for the petitioner.

Mr. Y.S.Shinde, APP, for the State.

CORAM: J.H.BHATIA, J.

DATE : 21st June, 2007.

P.C.

1. Heard Mr. Deshmukh, learned Counsel for the petitioner/original accused No.3.

2. The complaint was lodged by M/s. Geodis Overseas Pvt.Ltd. and was registered as Criminal Case No.57/S/2001 for the offence under Section 420 of I.P.C. On 19.9.2006, the Magistrate dismissed the complaint and discharged the accused observing that nobody was present on behalf of the complainant. In fact, the order itself reveals that after the first representative of the

complainant had left, other representative was substituted. On 19.9.2006 also, one person was present claiming to be the representrative of the company and stated that the earlier representative had already left the job. Inspite of this, the learned Magistrate held that nobody was present to represent the complainant. In fact, if the Magistrate was not satisfied with the word of the person that he was the representative, he could have asked him to produce necessary documents or authorisation. But the manner in which the Magistrate dismissed the complaint was certainly not proper.

3. Against that order, the complainant filed Revision Application and that Revision application was allowed and the order passed by the Magistrate was set aside. The order passed by the Sessions Court is challenged in the present Writ Petition.

4. After hearing and after going through the record, I find no substance in the present Petition.

. Therefore, the Petition stands dismissed summarily.

(J.H.BHATIA,J.)